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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR-05-00725 EMC  
Plaintiff, )  
v. ) STIPULATION AND [PROPOSED]  
MATTHEW D. CHILD, ) ORDER TO EXCLUDE TIME AND  
Defendant. ) DEFER PROSECUTION

The parties hereby request that the Court exclude time under the Speedy Trial Act in the above captioned case pursuant to 18 U.S.C. § 3161(h)(2) from January 25, 2006 to January 25, 2007 for deferral of prosecution. The parties agree that U.S. Attorney's Office diversion is an appropriate disposition in this matter.

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STIPULATION AND [PROPOSED] ORDER TO EXCLUDE TIME AND DEFER PROSECUTION  
CR 05-00725 EMC

The United States has placed Mr. Child on U.S. Attorney's Office diversion for a period of one year for Mr. Child to continue counseling programs and demonstrate good conduct. Accordingly, the parties agree that the prosecution will be deferred for a twelve month period of time.

## SO STIPULATED.

**KEVIN V. RYAN**  
United States Attorney

/s/ Derek R. Owens

DATED: \_\_\_\_\_

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**DEREK R. OWENS**  
Special Assistant United States Attorney

3/2/2006

/s/ Steven Kalar

**STEVEN KALAR**  
Attorney for Mr. Child

## ORDER

Based on the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED that time is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(2) from January 25, 2006 to January 25, 2007 for deferral of prosecution by the Government for the purpose of allowing the defendant to demonstrate good conduct under the conditions of a pretrial diversion program.

DATED: March 15, 2006

